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US Patent No. 6,889,452  
Appl. No. 09/992,463  
Applicant James H. Ailey et al  
Filed November 14, 2001  
For INSOLE FOR FOOTWEAR  
Docket No. 10368 25901  
Customer No. 24349

Issued: May 10, 2005

Commissioner for Patents  
PO Box 1450  
Alexandria, VA. 22313-1450

**CERTIFICATE OF MAILING**  
(37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail and in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA., 22313-1450

Date: October 2, 2006

William R. Gustavson

(Typed name of person mailing paper)

(Signature of person mailing paper)

**REQUEST FOR EXPEDITED CERTIFICATE OF CORRECTION**  
**Under MPEP 1480.01**

Sir:

**Certificate**

OCT 10 2006

**of Correction**

This is a request for an expedited Certificate of Correction for the above captioned patent for errors attributable to the US Patent Office. Attached is a Certificate of Correction form, form PTO/SB/44, making the necessary corrections to the patent.

In support of this request, please find attached a copy of page 8 of the application issuing into this patent as filed containing the portion of paragraph 28 subject to errors attributable to the US Patent Office. Also, please find attached pages 1 and 8 of a Rule 312 Amendment filed in the application which clearly shows the phrase "range of 68-107 lbs;" in claim 27(that became claim 1 in the issued patent). This phrase was deleted from claim 1 in the issued patent by error attributable to the US Patent Office.

If any further evidence is necessary to support this request for an expedited Certificate of Correction, please contact the undersigned by telephone at the number listed.

OCT 11 2006

Respectfully submitted,



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October 2, 2006

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forefoot push-off when the heads of the metatarsal bones of the foot in the forefoot region of the foot transfer weight from the heel of the foot to the toes of the foot.

Forepart 65 may have a flexing index average value that meets or exceeds 2.7 according to SATRA TM 3 1999. In a preferred embodiment, forepart 65 has a flexing index average value that meets or exceeds 3.7 according to SATRA TM 3 1999.

[0026] Accordingly, a wearer experiences greater comfort and less restriction due to the construction of an insole according to the present invention. More specifically, whereas conventional insoles are constructed with rigid materials throughout substantially the entire insole, the present insole can be provided with forepart 65, positioned in forefoot region 58 to allow insole 60 to flex during the different stages of human gait.

[0027] In one embodiment, forepart 65 can be made substantially of a flexible material. In a preferred embodiment, forepart 65 is a resilient and flexible material. Forepart 65 can also be provided with moisture and perspiration resistance properties or additives, and can further provide a surface that readily accepts adhesives. In one embodiment, forepart 65 can have a thickness in the range of 0.010 inches to 0.100 inches. In a preferred embodiment, forepart 65 has a thickness in the range of about 0.030 inches to 0.080 inches. Suitable examples of materials from which forepart 65 can be made are those sold under the trademark StanFlex Super 80, made by Stanbee Corporation, and Foss Dura Hinge, made by Foss Manufacturing Company Inc.

[0028] Whereas forepart 65 is preferably a flexible material, it is preferred that first tuck 63 is less flexible than forepart 65. In one embodiment, first tuck 63 is a rigid material, and has a density in the range of about 0.0200 (lb/in<sup>3</sup>) to about 0.0400 (lb/in<sup>3</sup>). In a preferred embodiment, first tuck 63 has a density in the range of about 0.0330 (lb/in<sup>3</sup>) to about 0.0380 (lb/in<sup>3</sup>). Further, it is preferred that first tuck 63 has a nail hold value in the range of about 68-107 (lb.). Additionally, in one embodiment, first tuck 63 has a flexural strength in the range of about 4.5-psi to 6.4-psi. In a preferred

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. 09/992,463  
Applicant James H. Ailey, et al  
Filed November 14, 2001  
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Examiner Anthony D. Stashick  
For INSOLE FOR FOOTWEAR

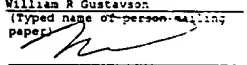
Confirmation No. 7559

Docket No. 10368 25901  
Customer No. 24349

Commissioner for Patents  
PO Box 1450  
Alexandria, VA. 22313-1450

**AMENDMENT UNDER RULE 312**

Sir:

<b>CERTIFICATE OF MAILING</b> (37 CFR 1.8a)	
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Date: <u>July 2, 2004</u>	<u>William R Gustavson</u> (Typed name of person mailing paper)
 (Signature of person mailing paper)	

A formal Notice of Allowance has been issued. The issue fee has not yet been paid, and thus it is believed that the following amendments are proper under Rule 312.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.

23.(canceled) An insole according to claim 22 wherein said strip comprises a toe piece underlaying said toe region of said footbed.

24.(canceled) An insole according to claim 22 wherein said strip comprises a base strip underlaying said rearfoot region and said forefoot region of said footbed.

25.(canceled) An insole according to claim 24 wherein said base strip comprises a first portion provided in said rearfoot region of said footbed and a second portion provided in said forefoot region of said insole.

26.(canceled) An insole according to claim 25 wherein said strip further comprises a tuck portion underlaying said first portion.

27.(currently amended) An insole bounded by a periphery having a medial edge, a lateral edge, a rearward edge, and a forward edge and corresponding substantially to a plantar surface of the human foot ~~bleed~~, said insole having a rearfoot region, a forefoot region, and a toe region and comprises:

a base strip having a first portion that can be positioned at said rearfoot region of said insole and a second portion that can be positioned at said forefoot region of said insole, the second portion having a flexing index average value that meets or exceeds 2.7 according to SATRA TM3 1999, and a thickness in the range of 0.010 to 0.100 inches, while the first portion has a density in the range of about 0.0200(lb/cubic in) to 0.0400(lb/cubic in) and a nail hold value in the range of 68-107 lbs;

a toe piece that can be positioned at said toe region of said insole; and

a footbed positioned on each of said base strip and said toe piece,

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,889,452

APPLICATION NO.: 09/992,463

ISSUE DATE : May 10, 2005

INVENTOR(S) : James H. Ailey et al

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 5, line 46, "about 0 0330" should be changed to -- about 0.0330 -- .

Column 5, line 50, "about 4 5-psi" should be changed to -- about 4.5-psi --.

Column 8, line 25, add -- range of 68-107 lbs; -- after "value in the".

**MAILING ADDRESS OF SENDER (Please do not use customer number below):**

William R. Gustavson, Thompson & Gustavson, L.L.P.  
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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**OCT 11 2005**